| 1 | Nathan Dooley (SBN 224331) | | | | | | | |
|----|---|---|---|--|--|--|--|--|
| 2 | ndooley@cozen.com Adam C. Bonin (<i>Pro hac vice</i>) | | | | | | | |
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| 7 | Attorneys for Plaintiffs Kos Media and Markos Moulitsas Zúniga | | | | | | | |
| 8 | Kos ivicula aliu ivialkos ivioulitsas Zulliga | | | | | | | |
| 9 | UNITED STATES DISTRICT COURT | | | | | | | |
| 10 | NORTHERN DISTRICT OF CALIFORNIA | | | | | | | |
| 11 | SAN FRANCISCO DIVISION | | | | | | | |
| 12 | KOS MEDIA, LLC and MARKOS MOULITSAS ZÚNIGA, |) | Case No.: C10-02894 MEJ | | | | | |
| 13 | WITHKINGS WOOLITS/IS ZOWOZI, | { | [Assigned for all purposes to Hon. Marie –Elena James, Courtroom B, | | | | | |
| 14 | PLAINTIFFS, | { | 15 th Floor] | | | | | |
| 15 | VS. | | JOINT STATUS REPORT, REQUEST AND STIPULATION | | | | | |
| 16 | | | FOR PROPOSED CONTINUANCE OF DATE for CASE | | | | | |
| 17 | RESEARCH 2000 AND DELAIR D. ALI, | { | MANAGEMENT CONFERENCE | | | | | |
| 18 | DEFENDANTS. | | Current Hearing Date: Dec. 02, 2010 Requested Hearing Date: Jan. 17, 2010 | | | | | |
| 19 | | | | | | | | |
| 20 | TO THE COURT, ALL THE PARTIES AND THEIR ATTORNEYS OF | | | | | | | |
| 21 | RECORD: | | | | | | | |
| 22 | By and through their undersigned counsel, Plaintiffs Kos Media and Markos | | | | | | | |
| 23 | Moulitsas Zúniga (collectively "Plaintiffs"), and Defendants RESEARCH 2000 AND | | | | | | | |
| 24 | DELAIR D. ALI (collectively "Defendants") respectfully submit the following Status | | | | | | | |
| 25 | Report, Request and Stipulation for Continuance of the hearing date in the above | | | | | | | |
| 26 | captioned matter for the Case Management Conference currently set for Thursday | | | | | | | |
| 27 | December 02, 2010. | | | | | | | |
| 28 | // | | | | | | | |

STATUS

The parties have reached an agreement as to the contours of a proper settlement but are still in the process of determining whether the execution of the proposed terms is feasible. The parties will know whether execution is feasible within one week. Accordingly, the parties hereby seek through their undersigned counsel a short continuance of the instant case management conference, currently on calendar for Thursday December 02, 2010.

In view of the foregoing, IT IS HEREBY STIPULATED and agreed by and between Plaintiffs and Defendants that the instant Case Management Conference shall be continued until January 17, 2011.

GOOD CAUSE

Good cause exists to grant the instant Request and allow the parties additional time to execute the contemplated settlement for the following reasons:

- 1. The parties have negotiated a settlement in good faith and it would be a waste of judicial resources for the Court to intervene at this stage when all that needs to be seen is whether the contemplated settlement is indeed feasible.
- 2. The contemplated settlement would likely result in a final and complete resolution of the instant controversy.
- 3. If the contemplated terms are not feasible, undersigned counsel may be able to reach an alternative arrangement without burdening the Court, and in any event, the most prudent present course is to wait and see whether the contemplated settlement will result in a final and complete resolution of the instant controversy.
- 4. The parties request a hearing date of January 17, 2011 in view of the fact that Plaintiffs' counsel will begin a five day jury trial in Los Angeles on January 03, 2010 and in contemplation of the pending holidays in December.

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| 1 | IT IS SO STIPULATED | | | | | | |
|--------|--|---|--|--|--|--|--|
| 2 | DATED: November 30, 2010 | HOWREY | | | | | |
| 3 | | | | | | | |
| 4 | | By: | | | | | |
| 5 | | EMILY L. MAXWELL Attorneys for Defendants Research 2000 and Delair D. Ali | | | | | |
| 6 | | | | | | | |
| 7 8 | DATED: November 30, 2010 | 0 COZEN O'CONNOR | | | | | |
| 9 | | | | | | | |
| 10 | | By:NATHAN DOOLEY | | | | | |
| 11 | | ADAM C. BONIN Attorneys for Plaintiffs Kos Media and Markos Moulitsas Zuniga. | | | | | |
| 12 | | Markos Moulitsas Zuniga. | | | | | |
| 13 | PURSUANT TO STIPULATION, IT IS SO ORDERED | | | | | | |
| 14 | The c.m.c. shall be on January 13, 2011 at 10:00a.m. and all dates are adjusted accordingly. | | | | | | |
| 15 | DATED: November 30, 2010 | | | | | | |
| 16 | | | | | | | |
| 17 | | Ву: | | | | | |
| 18 | | HON. MARIY ELENA JAMES Chief Magistrate Judge | | | | | |
| 19 | | United States District Court Northern District of California | | | | | |
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